HON'BLE SRI JUSTICE GODA RAGHURAM

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W.P.NO. 17449 OF 2005.

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ORAL ORDER:

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1. Petitioner obtained a loan from the first respondent – Bank through the second respondent branch. He defaulted. The respondents filed O.A.No.394 of 2002 before the Debts Recovery Tribunal, Hyderabad, for recovery of debts due from the petitioner. After the respondents approached the Debts Recovery Tribunal for recovery of the debts from the petitioner, the petitioner, on 19.06.2004, submitted an application to the respondents to consider a one time settlement. The petitioner's complaint is that respondents have not passed any orders, and thus the writ petition.

2. The grievance presented by the petitioner has no public law implication warranting issuance of a Mandamus. The relationship between the petitioner and the respondent – Bank is contractual in nature. It is not a statutory contract. The grievance arises at a post-threshold stage of the contract. Whether a one time settlement scheme exists and if so, if it offers a spectrum of discretion to the respondent to apply or dis-apply the discretion in particular cases are all issues that fall within the domain of the policy discretion of the respondents, normally not amenable to judicial review. On the aforesaid analysis, there are no merits in the writ petition. Writ petition is dismissed. No costs.

GODA RAGHURAM. J.,

Dated: 08.08.2005.

VRK.

HON'BLE SRI JUSTICE

GODA RAGHURAM.

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W.P.NO. 17449 OF 2005.

Dt: 08.08.2005.